

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GREGORY BRISCOE,

Case No. C11-2183-TSZ-JPD

Plaintiff,

## REPORT AND RECOMMENDATION

V.

RONDA DeBOWER, *et al.*,

## Defendants.

The plaintiff is proceeding *pro se* in this 42 U.S.C. § 1983 civil rights action against two employees of the Department of Corrections. By Order dated September 28, 2012, the Honorable Thomas S. Zilly dismissed plaintiff's complaint without prejudice, and granted plaintiff leave to file an amended complaint by no later than November 16, 2012. Dkt. 22 at 5. Judge Zilly also advised plaintiff "that failure to timely file an amended complaint shall be grounds for dismissing this case with prejudice." *Id.* To date, however, plaintiff has failed to submit an amended complaint, or otherwise respond to Judge Zilly's order.

Accordingly, the Court recommends that this § 1983 action be DISMISSED with prejudice. A proposed order accompanies this Report and Recommendation. The Clerk is

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1 directed to send copies of this Order to the plaintiff and to the Honorable James P. Donohue.

2 DATED this 10th day of December, 2012.

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5 JAMES P. DONOHUE  
6 United States Magistrate Judge  
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